श्री सुरेश पचौरी : महोदया, मैंने जो संशोधन प्रस्तुत किया है, मैं उसे वापिस लेने की अनुमति चाहता हूं।

The Amendment was, by leave, withdrawn
Clauses 2 and 3 was added to the Bill.
Clause 1, the Enacting Formula and the Title were added to the Bill.

DR. C.P. THAKUR: Madam, I move.

"That the Bill be passed."

**The question was put and motion was adopted*

THE DEPUTY CHAIRMAN: Thank you. The House has been extremely cooperative. Now, there is the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Amendment Bill, 2001. This is a very important Bill. This has been very controversial because those things which were meant for the good of the embryo, are being misused. However, the Minister will explain more, but, we, as women, have been agitating a lot because this is being misused by doctors, especially private doctors, for finding out the sex of the baby. When the people come to know that, it would be a girl, they go for termination of the pregnancy. I think, it is a criminal act. So, I hope, the Bill provides for some criminal action against those found involved in this act. Merely to say, "You are disqualified", is not sufficient. The person responsible for killing the embryo should be punished according to the law. Please move.

THE PRE-NATAL DIAGNOSTIC TECHNIQUES (REGULATION AND PREVENTION OF MISUSE) AMENDMENT BILL, 2001

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. C.P. THAKUR): Madam, I beg to move:

> "That the Bill to amend the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994, be taken into consideration."

Madam, actually, this Bill is a very small part of the amendment because we have passed similar amendments from this House for the AIIMS and the PGIMER, Chandigarh. According to this amendment, if any Member of this House or the other House who becomes a Member of the Central Supervisory Board, under the Pre-Natal Diagnostic Techniques

(Regulation and Prevention of Misuse) Act, 1994, would cease to be Member on becoming the Deputy Chairman or the Chairman...(*Interruptions*)...

THE DEPUTY CHAIRMAN: Is it just that?

DR. C.P. THAKUR: Yes, it is just that.

THE DEPUTY CHAIRMAN: It is not about the pre-natal ...(*Interruptions*)...

DR. C.P. THAKUR: No, it is not that. ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: So, you have not brought a Bill for that. I was more interested in that. I...(*Interruptions*)...

DR. C.P. THAKUR: No, that will be coming after some time. ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: It should have been brought today.

DR. C.P. THAKUR: Madam, it will take about two months because there is some conflict between the Medical Termination of Pregnancy Bill and the Pre-Natal Diagnostic Techniques Bill. ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: I did not read the Bill. I only read the title. So, what have you brought for us?

DR. C.P. THAKUR: Madam, this is a small Bill.

THE DEPUTY CHAIRMAN :Still we have five more minutes. आप बोलिए, पांच मिनट तक बोलिए।

DR. C.P. THAKUR: Actually, Madam, this Bill is concerned only with that issue. If anybody is elevated -- if any Member of this House becomes a Deputy Minister or State Minister or Cabinet Minister, or Deputy Chairman or Chairman, or Deputy Speaker or Speaker-- then, he ceases to be a Member of Central Supervisory Board. This is the limited purpose for which this Bill has been brought forward.

THE DEPUTY CHAIRMAN: It is natural. He cannot have two positions at the same time. But I have got so many names with me. Actually, I did not go through the Bill; but I would allow you to pass the Bill, without discussing it, only on one condition, and that is, that you will bring the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Amendment Bill, 2001.

DR. C.P. THAKUR: Madam, I am going to bring that Bill.

THE DEPUTY CHAIRMAN: But this Bill is lying before me.

DR. C.P. THAKUR: Not in this House, Madam. It will take atleast one month. ...*(Interruptions)*...

SHRI MANOJ BHATTACHARYA (West Bengal) : Madam, let us take up both the Bills together because, in the Statement of Objects and Reasons, it is said that I...*(Interruptions)*...

THE DEPUTY CHAIRMAN: But I don't understand one thing. If this is not that Bill, then, the title of this Bill seems to be misleading. It should have been a different one. It should have been something related to cancellation of the membership. This Bill says "if anybody, who is a Member of that Board, becomes a Minister or Minister of State or Deputy Minister, or the Speaker or the Deputy Speaker, will be disqualified and will have to resign." But the title which has been given here is not proper. Actually, this Bill is concerned with the cancellation of Membership of a Member of the Board consequent upon his selection as....

DR. C.P. THAKUR: Actually, it is a small amendment of that Bill ...*(Interruptions)*...

SHRI MANOJ BHATTACHARYA: What will the Central Supervisory Board do? ...*(Interruptions)*...

DR. C.P. THAKUR: We have similar provisions, passed by this House, in relation to AIIMS and PGI, Chandigarh. For example, in the case of AIIMS, if anybody who is a member of the Governing body of the All-India Institute of Medical Sciences, becomes a Minister or Deputy Chairman or Chairman, he ceases to be a member of that body. This is the same provision.

SHRI MANOJ BHATTACHARYA: Madam, unless this is changed; unless the term "pre-natal diagnostic techniques" or the affairs relating to pre- natal diagnostic techniques are clearly defined, what the Central Supervisory will do? The Central Supervisory Board will have no function to do. Therefore, my concrete suggestion is, it will become non-functional. It will have no function to do, unless this is properly defined. So, both the Bills should come together.

DR. C.P. THAKUR: No, it has already been constituted. It has started functioning. A comprehensive Bill is coming up in the next session. It will take about two months ...(*Interruptions*)...

SHRI MANOJ BHATTACHARYA: Madam, the most important thing has been deferred.

DR. C.P. THAKUR: Madam, the Pre-natal Diagnostic Bill has already been passed. There are some modifications. Actually, there is some conflict between the terms "pre-natal" and the "medical termination of pregnancy." So, we had held two or three meetings on that issue. The Supreme Court is not happy about the pre-natal diagnostic techniques. Therefore, we are coming out with a comprehensive amendment of the original Bill. Possibly, it will come up during next session.

THE DEPUTY CHAIRMAN: I agree with you that you are bringing forward a comprehensive Bill, but I do not understand as to why a Member, who is only a Member of the Pre-natal Diagnostic Techniques Regulation and Prevention Board, should resign on becoming the Deputy Chairman, Chairman, or a Minister. What about the members of the rest of the Boards -- for example, the Board of the All-India Institute of Medical Sciences, etc.

DR. C.P. THAKUR: Madam, that has been passed in this House itself.

THE DEPUTY CHAIRMAN: You should have brought them together. Why you have brought it separately and made us feel that we are discussing something important?

DR. C.P. THAKUR: Madam ...(*Interruptions*)...

SHRI PRANAB MUKHERJEE (West Bengal) : Mr. Minister, just for a second. Actually, Madam, in the original Bill, there is a provision for an Advisory Council. As far as the composition of the Advisory Council is concerned, it consists of Members of the Lok Sabha as well as of the Rajya Sabha. What happened was this. My colleague, Shri Suresh Pachouri, who was a Member on the Board of the All-India Institute of Medical Sciences, was, in between, appointed as a Minister of State in the Ministry of Defence. Then, the question arose as to whether his membership should be terminated or not; but the problem was, the composition of the Advisory Board and the Board of Governors was such that, without making a formal amendment in the Act, that disqualification could not be attached as the membership was for a fixed tenure.

5.00 P. M.

Therefore, what the Minister is trying to do is, he is bringing the formal amendment to the parent Act, and it has nothing to do with the pre-natal diagnostic or premature termination of pregnancy.

THE DEPUTY CHAIRMAN: It is still the termination of the membership. It may not be pre-natal but ...*(Interruptions)*....

SHRI PRANAB MUKHERJEE: It is premature termination of the Members.

THE DEPUTY CHAIRMAN: Exactly. It is actually the post-natal termination, not the pre-natal. Then, I do not think there is much to discuss. The Home Minister is also here. We have to listen to him. So, we will pass the Bill, but on the condition that you are going to bring it in the next session.

DR. C.P. THAKUR: Yes; Madam.

DR. Y. RADHAKRISHNA MURTY (Andhra Pradesh) : Madam, I just want to say one thing for your consideration. If a short discussion is allowed on the contents of the Bill, I think that will help the hon. Minister to bring an updated Bill later on. That is the point.

THE DEPUTY CHAIRMAN: We will pass it because we have ...*(Interruptions)*....

DR. Y. RADHAKRISHNA MURTY: Madam, it may be a short discussion. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: No. I think the House wants to hear what the Home Minister has to say. So, we will ...*(Interruptions)*....

DR. Y. RADHAKRISHNA MURTY: That is a point for your consideration, Madam.

THE DEPUTY CHAIRMAN: It is his promise and assurance to the House that he is going to bring a comprehensive Bill on Medical Education, plus a Bill, which will deal extensively with the question of diagnostic techniques which are misused for killing the female foetus in the womb of the mother. I want to make it very specific. They want to discuss it.

DR. C.P. THAKUR: Yes; we are going to bring that.

THE DEPUTY CHAIRMAN: The question is :

"That the Bill to amend the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994, be taken into consideration."

The motion was adopted.

THE DEPUTY CHAIRMAN: Now, we shall take up clause-by-clause consideration of the Bill.

Clause 2 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

DR. C.P. THAKUR: Madam, I beg to move :

"That the Bill be passed."

The question was put and the motion was adopted.

THE DEPUTY CHAIRMAN: Thank you very much. We did a good work today. Today, we passed seven Bills. Yes; Shri Advaniji;

REPLY TO THE CLARIFICATIONS ON THE STATEMENT BY MINISTER

Recent incident of Killings in village Sirsawan district Moradabad, U.P.

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): Madam Deputy Chairman, there are two issues listed against my name. One is the reply to the various clarifications sought by Members with respect to the Moradabad incident. And the second is the dastardly assassination of Shrimati Phoolan Devi, a Member of Parliament, last month. If I am permitted by the House, Madam, I would like to deal with only the clarifications on the Moradabad incident today. I would be grateful if the issue of the murder of Shrimati Phoolan Devi is taken up tomorrow or the day-after-tomorrow, because, on the issue related to the murder of Smt. Phoolan Devi, there will be a number of Members who would like to participate and seek clarifications. In this case, it is the reply; whereas, in the other case, it would take some time. If you permit me, that could be taken up on some other day.